



U.S. Department of Justice

United States Attorney
Southern District of New York

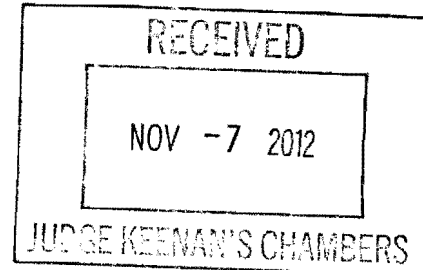
MEMO ENDORSED

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

November 5, 2012

BY FACSIMILE AND HAND

The Honorable John F. Keenan
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007



Re: **United States v. FNU LNU a/k/a "Anthony Ray Hardy"**
12 Cr. 618 (JFK)

Dear Judge Keenan:

I write on behalf of both parties to request an adjournment of the conference currently scheduled in the above-captioned matter for this Thursday, November 8 at 11:30 a.m. The parties are currently engaged in active discussions regarding a potential disposition of this matter but are unlikely to be able to complete that process by this Thursday. So as to allow sufficient time for those talks to continue, the parties would respectfully request that the Court reschedule this week's conference for some time the week of November 26, 2012.

Provided the Court is inclined to grant that request, the Government would additionally request that the Court exclude time between November 8, 2012 and the date of the newly scheduled conference pursuant to Title 18, United States Code, Section 3161(h)(7)(A). The exclusion is sought so as to permit the parties to continue to engage in discussions regarding a potential disposition of this matter. I have spoken with Andrew J. Ceresney, Esq., and John Nichols, Esq., counsel for the defendant, and they have consented to this request. A proposed order excluding time is enclosed for the Court's convenience.

*The matter is adjourned
until November 27, 2012 at
11:15 A.M. Time is set -
cluded until then.
Advised
November 7, 2012 JSD*

Respectfully submitted,

PREET BHARARA
United States Attorney

By: *[Signature]*
Edward B. Diskant
Assistant United States Attorney
(212) 637-2294

Cc: Andrew J. Ceresney, Esq.
John Nichols, Esq.

